

As a worker in the federal sector you have the legal right to refuse unsafe work, according to Section 128 in Part II of the Canada Labour Code, when there are reasonable grounds to believe performing an activity is dangerous to you or another person's health and safety. Exceptions exist for workers on ships and aircraft in operation, according to section 128(3-5) of the code.

**You have the legal right to a healthy and safe workplace.**

For more information or assistance, contact your local union health and safety representative, your union executive, your CUPE representative or your CUPE health and safety staff representative.

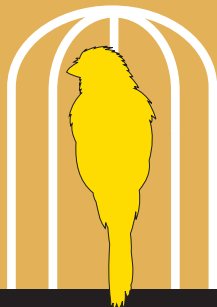
**Canadian Union  
of Public Employees**

National Health and Safety Branch  
1375 St. Laurent Blvd  
Ottawa, ON K1G 0Z7  
Tel. (844) 237-1590 (toll free)  
Fax (613) 237-5508  
Email: [health\\_safety@cupe.ca](mailto:health_safety@cupe.ca)

For additional health and safety resources, visit  
[cupe.ca/health-and-safety](http://cupe.ca/health-and-safety)

**CUPE** / Canadian Union  
of Public Employees

**YOU CAN  
REFUSE  
UNSAFE  
WORK**



**THE FEDERAL SECTOR**

## **Here's how you can refuse unsafe work:**

1. Notify your supervisor at the worksite that you are refusing work because you don't think it is safe, and state your reason for the refusal. Your employer must immediately investigate the matter in your presence and prepare a written report setting out the results.
2. If you are not satisfied with the results of the investigation, continue to refuse work and report the circumstances to your workplace health and safety committee or representative.
3. An employer and employee member of the committee (or representative) must

immediately investigate the matter with you (if you choose to be present), and immediately provide a written report to the employer with their findings and recommendations.

4. The employer makes a decision based on the report. If the employer does not believe there is a danger, they must notify the worker in writing.
5. If the matter is still not resolved, a government health and safety officer must be contacted by the employer.
6. If the officer does not proceed with an investigation, the Minister of Labour shall inform the employer and the employee in writing, as soon as feasible,

of that decision. If the officer investigates, they must investigate with you, your employer, and a worker member of the workplace health and safety committee (or representative) present. The officer must notify you of any recommendations in writing.

7. If you are not satisfied with the officer's decision, you cannot legally continue to refuse the work. But you do have ten days after receiving the decision to appeal in writing to an appeals officer.

You cannot be dismissed, suspended, or penalized for complying with the legislation, according to section 147 of the code.